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September 28, 2001

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Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

SEP 28 2001

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Attention: Allocations Branch  
Mass Media Bureau

Re: Clear Channel Broadcasting Licenses, Inc.  
Proposed Modification to Section 73.202  
(FM Table of Allotments) and License  
WFKS(FM), St. Augustine, FL (Facility Id No. 67243)  
MM Docket No. 01-101; RM-10097

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Dear Madam Secretary:

On January 18, 2001, Clear Channel Broadcasting Licenses, Inc. ("CCBL"), the licensee of WFKS(FM), Channel 250C2, St. Augustine, Florida (the "Station"), submitted a petition for rule making (collectively with all exhibits and attachments, the "Petition") that proposed the following modifications (collectively, the "Proposal"):

- (a) to delete Channel 250C2 from St. Augustine, Florida;
- (b) to add Channel 250C2 to Neptune Beach, Florida; and
- (c) to modify the license of the Station to specify operations on Channel 250C2 in Neptune Beach, Florida, in lieu of operation on Channel 250C2 in St. Augustine, Florida.

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

The Allocations Branch looked favorably on the Proposal, which would bring the first local aural transmission service to Neptune Beach, and requested comment through a Notice of Proposed Rule Making. <sup>1/</sup> CCBL was the only party to file comments in the proceeding (the "Comments"). In the Comments, CCBL incorporated its 44-page (including exhibits) Petition in its entirety, and endorsed and re-affirmed its interest in the Proposal.

In an effort to expedite grant of the Proposal, and pursuant to a recent communication with Commission Staff, enclosed is further information regarding Neptune Beach and the Commission's eight *Tuck* criteria. This supplement further substantiates the status of Neptune Beach, Florida, as a separate and distinct community meriting its own local transmission service, and should facilitate prompt Commission approval of this unopposed allotment change.

Commission precedent under *Tuck* focuses on eight factors for assessing whether a community within the boundaries of an urbanized area is dependent on that area's central city:

1. the extent to which community residents work in the central city;
2. whether the community has its own newspaper or other local media;
3. whether the community leaders and residents perceive the specified community as being separate from the larger metropolitan area;
4. whether the community has its own local government and elected officials;
5. whether the community has its own telephone book or zip code;

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<sup>1/</sup> Notice of Proposed Rule Making, *Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (St. Augustine and Neptune Beach, FL)*, DA 01-1083, MM Docket No. 01-101 (released April 27, 2001) (the "Notice").

6. whether the community has its own commercial establishments, health facilities, and/or transportation systems;
7. the extent to which the specified community and the central city are part of the same advertising market; and
8. the extent to which the specified community relies on the larger metropolitan area for various municipal services such as police, fire protection, schools, and libraries.

Under Commission precedent, a showing that a community satisfies a majority of the eight factors is sufficient to demonstrate its independence. 2/ In the Petition and Comments, CCBL demonstrated that Neptune Beach satisfies the four criteria -- the fourth, fifth, sixth and eighth factors -- necessary to justify its own local transmission services. In addition, attached to this letter is information responsive to the first, second, and third factors, and further information regarding the fifth and eighth factors. As this information confirms, each of these factors demonstrates that Neptune Beach is not dependent on Jacksonville and thus deserves its own local transmission service.

The first factor asks to what extent community residents work in Jacksonville. This information is not available. However, based on 1990 U.S. Census information, Neptune Beach itself has 3,766 jobs, which would be sufficient to employ more than a majority of Neptune Beach's 6,816 residents (as of the 1990 Census). 3/ At the very least, such a substantial opportunity for employment within the community suggests that Neptune Beach is not dependent on Jacksonville for its residents' employment. 4/

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2/ See, e.g., *Ankeny and West Des Moines, Iowa*, Report & Order, 15 FCC Rcd 4413 (¶ 5) (2000) (finding four factors in favor of independence to be sufficient under *Tuck*); *Pleasanton, Bandera Hondo, and Scherz, Texas*, Report & Order, 15 FCC Rcd 3068, 3071-72 (¶ 9) (2000).

3/ See Attachment 1.

4/ See, e.g., *Jupiter and Hobe Sound, Florida*, Report & Order, 12 FCC Rcd 3570, 3572-73 (¶ 6) (noting favorably that the relevant community "has over 150

The second factor asks whether residents of the relevant community must rely on the media from the region's central city to learn about happenings in their community or to advertise their products and services. Although Neptune Beach does not have its own newspaper, its residents are not required to use Jacksonville media to advertise or to learn about their community. In fact, the city of Neptune Beach distributes its own monthly newsletter to its residents through the mail, and there is a newspaper published twice weekly in Neptune Beach's neighboring beach community, Jacksonville Beach, as well as a weekly free circular, both of which address events or sell advertising for businesses in Neptune Beach and the other beachfront communities. 5/ Allocations Branch precedent confirms that a combination of a monthly newsletter and other local newspapers is sufficient to demonstrate that a community is not dependent on a region's central city for local media, and thus that the second criterion does not demonstrate interdependence. 6/ (In addition, as noted in the Petition, both of Neptune Beach's neighboring beachfront communities – Atlantic Beach and Jacksonville Beach – already have their own radio stations, which provide other local media outlets independent of those offered by Jacksonville.) Such examples of non-Jacksonville media opportunities compares favorably with other instances in which the Allocations Branch has used this criterion to justify a community's independence, such as in *Jupiter and Hobe Sound*, in which the mere presence of a monthly newsletter and a periodic directory of businesses issued by a community organization was sufficient for a finding of independence. 7/

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businesses, restaurants, shops and professional offices which provide employment for many people").

5/ See Attachment 2 (including page from Neptune Beach City Council Meeting's Minutes from April 16, 2001, noting existence of city newsletter, and page from *Editor & Publisher Year Book 2000* naming two local newspapers or circulars – *The Beaches Leader* and the *Sun Times Weekly*.)

6/ See, e.g., *Pleasanton, Bandera Hondo, and Scherz, Texas*, 15 FCC Rcd at 3071-72 (¶ 9) (2000) (noting that community newsletter, and presence of two other nearby newspapers that were not published in the region's central city, were sufficient to demonstrate that the community was not dependent on the central city's media).

7/ *Jupiter and Hobe Sound, Florida*, 12 FCC Rcd at 3572-73 (¶ 6) (finding proof of independence based largely on the availability of a monthly community newsletter).

The third factor asks whether community leaders and residents perceive the community as distinct from the central city of the relevant urbanized area. Attached are three declarations from leaders and residents of Neptune Beach which confirm that Neptune Beach is a community distinct from Jacksonville. 8/ In these declarations, the City Manager (himself a resident of Neptune Beach), the Public Safety Director, and a private resident of Neptune Beach each state that the residents of Neptune Beach "naturally think of themselves as a distinct community around which their interests coalesce" and that the members of the community "take[ ] considerable pride" in the Neptune Beach's "separate identity." The Public Safety Director also notes that Neptune Beach residents have developed Neighborhood Watch and "house check" programs that protect and preserve the sense of community found in Neptune Beach. Such statements more than suffice to demonstrate that Neptune Beach satisfies the third *Tuck* factor. 9/ Moreover, Neptune Beach's own history testifies to its independent status, as Neptune Beach seceded from Jacksonville Beach by an overwhelming vote of its residents more than seventy years ago.

The fifth factor asks whether the community has its own zip code or telephone book. Commission precedent confirms that this standard is purposely disjunctive: in the case of *Jupiter and Hobe Sound*, for example, a showing that a community had its own zip code, without mention of a local telephone book, sufficed for a showing of independence. 10/ As noted in the Petition, Neptune Beach has its own zip code. Accordingly, this criterion also points to independence. 11/

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8/ See Attachment 3.

9/ See, e.g., *Pleasanton, Bandera Hondo, and Scherz, Texas*, 15 FCC Rcd at 3071-72 (¶ 9) (accepting even single statement from city official as satisfying third *Tuck* factor).

10/ *Jupiter and Hobe Sound, Florida*, 12 FCC Rcd at 3572-73 (¶ 6).

11/ In addition, according to local residents, the local edition of the phone book distinguishes the beach communities – including Neptune Beach – from the rest of Jacksonville. Apparently, the Neptune Beach version of the telephone book has a front section for all of the beach communities and then a separate section for Jacksonville and related areas.

As for the sixth factor, CCBL already has made a convincing showing that Neptune Beach has a long list of its own commercial establishments, including health care facilities and a transportation service. 12/ Specifically, although the Beaches Speech and Language Center has moved to neighboring Jacksonville Beach, Neptune Beach still has a wide range of medical practitioners, including the following:

- Neptune Beach Dermatology, a local skin-ailment practice;
- Eric Norenberg, a general practitioner;
- several chiropractic outlets, including the Advanced Chiropractic Nutrition Center and a number of individual practitioners;
- an emergency dental clinic;
- a pediatrician complex;
- a mental health practitioner, specializing in eating disorders; and
- a number of alternative health clinics, ranging from the Alternative Wellness Center to the Acupuncture Wellness Center to Intaplecx, an integrated medical service provider, to the Cobalt Moon Healing Center.

In addition, Neptune Beach boasts its own limo and airport service, which provides transportation services to Neptune Beach residents.

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12/ See Attachment 4.

HOGAN & HARTSON L.L.P.  
The Secretary  
September 28, 2001  
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In light of the uncontroverted information in the Petition, the Comments and this supplement, Neptune Beach clearly satisfies a majority of the *Tuck* criteria. In fact, seven of the eight *Tuck* factors demonstrate that Neptune Beach is not dependent on Jacksonville. Accordingly, CCBL respectfully urges the Commission to grant the Proposal as quickly as possible and thus enable CCBL to bring the first local transmission service to the community of Neptune Beach.

Respectfully submitted,

HOGAN & HARTSON L.L.P.

By: F. William LeBeau  
F. William LeBeau

Attorneys for Clear Channel  
Broadcasting Licenses, Inc.

Attachments

cc: Barthen Gorman, Allocations Branch

# **ATTACHMENT 1**



(URL reload)

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**1990 US Census Data**  
**Database: C90STF3A**  
**Summary Level: State--Place**

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**Neptune Beach city: FIPS.STATE=12, FIPS.PLACE90=48100**

**INDUSTRY**

*Universe: Employed persons 16 years and over*

Agriculture, forestry, and fisheries (000-039)	36
Mining (040-059)	0
Construction (060-099)	275
Manufacturing, nondurable goods (100-229)	56
Manufacturing, durable goods (230-399)	97
Transportation (400-439)	129
Communications and other public utilities (440-499)	212
Wholesale trade (500-579)	103
Retail trade (580-699)	744
Finance, insurance, and real estate (700-720)	469
Business and repair services (721-760)	208
Personal services (761-799)	111
Entertainment and recreation services (800-811)	85
Professional and related services (812-899):	
Health services (812-840)	348
Educational services (842-860)	381
Other professional and related services (841, 861-899)	342
Public administration (900-939)	170

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## **ATTACHMENT 2**

**CITY MANAGERS PUNCH LIST**

- Jarboe Park Improvement      **JARBOE PARK IMPROVEMENT:** City Manager Linn stated city employees had started removing the old roofs from the picnic shelters in anticipation of the new roofs. Mr. Linn added that Brett Goddard would have the bid packages ready very soon.
- Roadway Between Shopping Centers      **ROADWAY BETWEEN SHOPPING CENTERS:** City Manager Linn stated there was nothing new to report on the roadway between the shopping centers.
- Underground Containers      **UNDERGROUND GARBAGE CONTAINERS:** City Manager Linn stated he had a meeting scheduled with Walt Ritter of BFI this past week to discuss the underground containers, however Mr. Ritter had a family emergency and the meeting was canceled.
- Naval Air Show      **NAVAL AIR SHOW:** City Manager Linn stated that Mayor Brown had written a letter in support of the Naval Air Show.
- AT&T/Broadband      **AT&T/BROADBAND CLEAN UP OF CABLES:** City Manager Linn stated there was nothing new to report on the loose cables.

Service Division Supervisor Joan Herman informed that she was being charged for Broadband services and was not receiving them.

Councilor Pruette asked if the money was refundable and suggested publishing a phone number with a contact person in the city newsletter for people to call that were being charged for the service and not receiving it.

**PROPOSED ORDINANCES**

- Ordinance No. 2001-05      **ORDINANCE NO. 2001-05. GARBAGE COLLECTION FEES:** AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA, DELETING SECTION 11-96 AND 11-106 OF CHAPTER 11, GARBAGE, TRASH AND INDUSTRIAL WASTE AND PROVIDING AN EFFECTIVE DATE.

City Manager Linn explained that this ordinance would change the method used to establish garbage collection fees from an ordinance to a resolution.

Vice Mayor Shimp stated that the newspaper had misinterpreted the garbage collection fees. Mr. Shimp asked city staff to have the newspaper publish that they made a mistake and correct it.

Vice Mayor Shimp agreed to sponsor Ordinance No. 2001-05.

Consensus: **FORWARD TO THE MAY REGULAR CITY COUNCIL MEETING FOR FIRST READ.**

**CONTRACT/AGREEMENTS/NONE****ISSUE DEVELOPMENT**

- Phone System Request

**QUOTES FOR INSTALLATION OF NEW PHONE SYSTEM FOR CITY HALL:** City Manager Linn stated the current phone system was inadequate after hours because City Hall forwarded the calls to the police department and the police department was required to handle all incoming calls. Mr. Linn called on Utility Billing Supervisor Rosemary Phillips to present the quotes that she had received for a new system. Rosemary Phillips explained that the current phone system was out dated, new lines could not be added

80<sup>th</sup>

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Gretchen Cain

## Green Cove Springs

### Clay Today (W,F)

1564 Kingsley Ave., Orange Park, FL  
32073; tel (904) 264-3200; fax (904)  
269-6958.  
Circulation: 15,000pd, 150fr; Estimate.  
Advertising: Open inch rate \$5.00 (comb  
avail).

#### PERSONNEL

Publisher Joyce Lydon  
Editor Michael Mann  
Advertising Manager Tim Cult  
Circulation Manager Sydney Ray

## Gulf Breeze/Pensacola

### Gulf Breeze Sentinel (Th)

1200 Gulf Breeze Pky.; PO Box 967, Gulf  
Breeze, FL 32561; tel (850) 934-1200;  
fax (850) 932-8765.  
Circulation: 4,500pd, 164fr; Estimate.  
Advertising: Open inch rate \$12.60 (comb  
avail). Parent Co.: Gannett Co. Inc.

#### PERSONNEL

Publisher Marlin M Osborn  
Editor Marlin M Osborn

## Hallandale

### Hallandale Digest (Th)

224 S. Dixie Hwy.; PO Box 1310,  
Hallandale, FL 33009; tel (954) 457-  
8029; fax (954) 457-1284.  
Circulation: 41,000fr; Estimate.  
Advertising: Open inch rate \$19.00.

#### PERSONNEL

Publisher Daniel Bluesten  
Editor Larry Bluesten  
Circulation Manager Craig Facuer

## Hamilton Co.

### Jasper News (Th)

102 N.E. Second Ave.; PO Drawer D,  
Jasper, FL 32052; tel (904) 792-2487;  
fax (904) 792-3009.

Circulation: 2,082pd, 30fr; Estimate.  
Advertising: Open inch rate \$5.25 (comb  
avail). Insert Rate: \$40.00/M. rate depends  
on weight. Established: 1870. Parent Co.:  
Live Oak Publications Inc.

#### PERSONNEL

Publisher Michael F Coulter  
General Manager Myra Regan  
Editor Gail Newsome  
Advertising Manager Chris White  
Circulation Manager Jan Bullock  
Production Manager Dana Hall  
Mechanical specifications: Format page 13" x  
21 1/2"; E - 6 cols, 2 1/4"; A - 6 cols,  
2 1/4"; C - 10 cols, 1 1/4".  
Equipment: Hardware — Ap/Mac; Software —  
Adobe/PageMaker 6.0, Adobe/Photoshop,  
Adobe/Typestyler. Pressroom — 8-WPC/  
Web Leader. Delivery method — Mail,  
Newsstand.

## Hardee Co.

### The Herald-Advocate (Th)

115 S. 7th Ave.; PO Box 338, Wauchula,  
FL 33873; tel (941) 773-3255; fax (941)  
773-0657.

Circulation: 5,484pd, 99fr; Sworn.  
Advertising: Open inch rate \$4.20. Insert Rate:  
\$47.50/M. Min. rate; other rates avail.  
Established: 1955.

#### PERSONNEL

Publisher Jim Kelly  
Editor Jim Kelly  
Managing Editor Cynthia Krah  
Advertising Manager Jean Kelly  
Circulation Manager Joyce Swails  
Mechanical specifications: Format page 13" x  
21 1/2"; E - 6 cols, 2 1/4"; 1/4" between; A -  
6 cols, 2 1/4"; 1/4" between; C - 6 cols,  
2 1/4"; 1/4" between.  
Equipment: Hardware — Ap/Mac. Pressroom  
— G/Community. Delivery method — Mail,  
Newsstand.

## High Springs/ Alachua/Newberry

### The High Springs Herald (Th)

5 N.W. First St.; PO Box 745, High  
Springs, FL 32643; tel (904) 454-1297;  
fax (904) 454-4559; e-mail hsherald@  
afln.org.

Circulation: 3,600pd, 62fr; Estimate.  
Advertising: Open inch rate \$7.00.  
Established: 1951.

#### PERSONNEL

Publisher Ed Barber  
General Manager Carol Chidlow  
Editor Jim Hunter

## Hillsborough Co.

### Community Connections (Th)

3210 E. 7th Ave., Tampa, FL 33605; tel  
(813) 248-3921; fax (813) 247-5357; e-  
mail lagaceta@aol.com.

Circulation: 20,000fr; Sworn.  
Advertising: Open inch rate \$6.00 (comb  
avail). Language: Spanish/English.  
Established: 1988. Parent Co.: La Gaceta  
Publishing Inc.

#### PERSONNEL

Publisher Patrick Manteiga  
General Manager Angie Manteiga  
Editor Patrick Manteiga  
Managing Editor Diane Bowring  
Advertising Manager John Ambrosino  
Production Manager Melody Williams  
Mechanical specifications: Format page 10 1/4"  
x 16"; E - 6 cols, 1 1/4"; 1/4" between; A -  
6 cols, 1 1/4"; 1/4" between; C - 6 cols,  
1 1/4"; 1/4" between.  
Equipment: Hardware — Ap/Mac Quadra,  
Ap/Power Mac 7100, Ap/Power Mac 8100;  
Software — Abbott Systems/Ready, Set,  
Go, Multi-Ad/Creator.

## Holmes Co.

### Holmes County Times (W)

105 E. Virginia Ave.; PO Box 67, Bonifay,  
FL 32425; tel (850) 547-9414; fax (850)  
638-4601; e-mail cni@digitalex.com.

Circulation: 2,831pd, 19fr; Sworn.  
Advertising: Open inch rate \$6.10 (comb  
avail). Insert Rate: \$60.00/M. Parent Co.:  
Chipley Newspapers Inc.

#### PERSONNEL

Publisher Maurice Pujol  
Editor Jan Morris  
Advertising Manager Brenda Pujol  
Mechanical specifications: Format page 13" x  
21 1/2"; E - 6 cols, 2", 1/4" between; A - 6  
cols, 2", 1/4" between; C - 9" cols, 1 1/4",  
1/4" between.  
Equipment: Hardware — Ap/Power Mac, PCs;  
Software — QuarkXPress, Adobe/Page-  
Maker 6.0. Pressroom — G/Community.  
Delivery method — Mail, Newsstand.

## Homestead/S. Dade

### South Dade News Leader (M,W,F)

15 N.E. First St.; PO Box 900340,  
Homestead, FL 33090; tel (305) 245-  
2311; fax (305) 248-0596.

Circulation: 10,609pd; Sworn.  
Advertising: Open inch rate \$18.90 (comb  
avail). Established: 1912. Parent Co.:  
Calkins Newspapers.

#### PERSONNEL

Publisher Glenn A Martin  
Managing Editor Yolanda Ulrich  
Advertising Manager Charlene Russ  
Advertising Manager Tracy Lovitt  
Circulation Manager Bobby Williams  
Production Manager Mike Smith  
Mechanical specifications: Format page 12 1/2"  
x 21 1/2"; E - 6 cols, 2", 3/4" between; A -  
6 cols, 2", 3/4" between; C - 9 cols, 1 1/4",  
1/4" between.  
Equipment: Hardware — PC, Ap/Mac;  
Software — Archetype/Corel Draw. Press-  
room — HI.

## U.S. Weeklies

## Florida

## COMM-49

## Immokalee/La Belle

### Immokalee Bulletin (Th)

22 Fort Thompson Ave.; PO Box 518, La  
Belle, FL 33975; tel (941) 657-6000; fax  
(941) 675-1449.

Circulation: 29pd, 4,000fr; Estimate.  
Advertising: Open inch rate \$7.45.

#### PERSONNEL

Publisher Sonny H Stalls  
Editor Patty Brant  
Advertising Manager Marta Briede

## Key Biscayne

### Islander News (Th)

104 Crandon Blvd., Ste. 301, Key  
Biscayne, FL 33149; tel (305) 361-3333;  
fax (305) 361-5051; e-mail islnews@  
aksi.net; web site http://www.key-biscayne.  
com.

Circulation: 2,650pd, 690fr; Sworn.  
Advertising: Open inch rate \$21.00 (comb  
avail). Established: 1966. Parent Co.: Samar  
Publishing.

#### PERSONNEL

Publisher Nancye Ray  
General Manager Gloria Chapman  
Editor Nancye Ray  
Circulation Manager Peggy Morris

## Indian River Co.

### Sebastian Sun (F)

1801 U.S. 1; PO Box 1268, Vero Beach,  
FL 32961-1268; tel (561) 562-2315; fax  
(561) 978-2364.

Circulation: 12,500fr; Estimate.  
Advertising: Open inch rate \$4.50. Insert Rate:  
\$40.00/M. Established: 1980. Parent Co.: E  
W Scripps Co.

#### PERSONNEL

Publisher Darryl Hicks  
General Manager Darryl Hicks  
Editor Larry Reisman  
Advertising Manager Debbi Vickers  
Circulation Manager Tim Stone  
Production Manager Joe Giambalvo  
Mechanical specifications: Format page 13" x  
21 1/2"; E - 6 cols, 1/4" between; A - 6 cols,  
1/4" between; C - 9 cols, 1/4" between.  
Equipment: Hardware — Ap/Mac, PC.  
Pressroom — HI/450 S, 4-HI/Mercury,  
HI/XP21. Delivery method — Private  
Carrier.

## Jacksonville Beach

### The Beaches Leader (W,F)

1114 Beach Blvd.; PO Box 50129,  
Jacksonville Beach, FL 32250; tel (904)  
249-9033.

Circulation: W 11,800pd, 54fr; F 22,500pd,  
11,000fr; Sworn.  
Advertising: Open inch rate W \$9.45; F  
\$11.40 (comb avail). Parent Co.: Leader  
Group.  
Editions: 2 total — The Beaches Leader; The  
Ponte Vedra Leader.

#### PERSONNEL

Publisher Thomas H Wood  
Editor Kathleen Feindt Bailey  
Advertising Manager Linda Borgstede  
Mechanical specifications: Format page 13" x  
21 1/2"; E - 6 cols, 2 1/4"; A - 6 cols,  
2 1/4"; C - 6 cols, 2 1/4".  
Equipment: Hardware — Ap/Mac. Pressroom  
— KP. Delivery method — Mail, News-  
stand. Private Carrier.

### Sun Times Weekly (F)

PO Box 50129, Jacksonville Beach, FL  
32240; tel (904) 249-9033; fax (904)  
249-1501.

Circulation: 11,000fr; Estimate.  
Advertising: Open inch rate \$11.95.

#### PERSONNEL

Publisher Thomas H Wood  
Editor Kathleen Bailey  
Advertising Manager Linda Borestede  
Circulation Manager Lisa Venetazi

## Jupiter/Tequesta

### Jupiter Courier (W,Su)

800 W. Indiantown; PO Box 1486, Jupiter,  
FL 33458; tel (561) 746-5111; fax (561)  
743-0673.

Circulation: 7,739pd, 410fr; Estimate.  
Advertising: Open inch rate \$11.67 (comb  
avail). Parent Co.: E W Scripps Co.

#### PERSONNEL

General Manager Charles E Scripps Jr  
Managing Editor Kevin Henistock  
Advertising Manager Jerome J Rupar

## Key West

### Key West-The Newspaper (F)

PO Box 567, Key West, FL 33041; tel  
(305) 292-2108; fax (305) 292-1882.

Circulation: 12,000fr; Sworn.  
Advertising: Open inch rate \$11.00.  
Established: 1994.

#### PERSONNEL

Publisher Dennis Reeves Cooper  
Mechanical specifications: Format page  
10 1/4" x 13"; E - 5 cols, 2 1/4", 1/4"  
between; A - 5 cols, 2 1/4", 1/4" between.  
Equipment: Delivery method — Private Carrier.

## Keystone Hts.

### Lake Region Monitor (Th)

135 Call St.; PO Drawer A, Starke, FL  
32091; tel (904) 473-2210; fax (904)  
964-8628.

Circulation: 2,300pd; Estimate.  
Advertising: Open inch rate \$4.10.

#### PERSONNEL

Publisher John Miller  
Editor Lesley Peters

## La Belle

### Caloosa Belle (W)

22 Fort Thompson Ave. (33935); PO Box  
518, La Belle, FL 33975; tel (941) 657-  
6000; fax (941) 657-1449.

Circulation: 7,500fr; Estimate.  
Advertising: Open inch rate \$9.55.

#### PERSONNEL

Publisher Sonny H Stalls  
Editor Patty Brant  
Advertising Manager Marta Briede

## Lake Panasoffkee/Sumter

### Sumter Journal (Th)

Hwy. 470; PO Box 546, Lake Panasoffkee,  
FL 33538; tel (904) 793-6222; fax (904)  
793-5530.

Circulation: 2,000pd; Estimate.  
Advertising: Open inch rate \$1.80.

#### PERSONNEL

Publisher Ed Lasky  
General Manager Shirley Lasky  
Editor Jim Burris

## Lake Placid

### Lake Placid Journal (Th)

232 N. Main St.; PO Box 696, Lake  
Placid, FL 33852; tel (941) 465-2522;  
fax (941) 699-0331.

Circulation: 4,890pd; Estimate.  
Advertising: Open inch rate 40¢. Parent Co.:  
Lake Placid Publishing Co.

#### PERSONNEL

Publisher Mathew Delaney  
General Manager Monte Delaney  
Editor Constance Delaney  
Mechanical specifications: Format page 13" x  
21".  
Equipment: Hardware — Ap/Mac; Software —  
QuarkXPress 3.1. Delivery method — Mail,  
Newsstand.

## **ATTACHMENT 3**

*City of*  
**Neptune Beach**

116 First Street • Neptune Beach, Florida 32266-6140  
(904) 270-2400 • FAX (904) 270-2417 • Suncom 852-2400



**DECLARATION**

I, Richard A. Linn, declare as follows:

1. I am the City Manager of the City of Neptune Beach. I was first appointed to this position in 1997.
2. Neptune Beach is a community separate and distinct from any other community in the Jacksonville Urbanized Area, including Jacksonville. Neptune Beach has its own government, its own business district, its own churches, its own organizations, its own parks and its own public safety services. Residents of Neptune Beach naturally think of themselves as a district community around which their interests coalesce. The community takes considerable pride in its separate identity, and is passionate about maintaining its autonomy and Neptune Beach's unique quality of life.
3. I am also a resident of Neptune Beach, having lived in the community for more than 4 years. I have first-hand knowledge that its residents (and those of surrounding areas) recognize that Neptune Beach is its own district community.

I hereby declare under penalty of perjury that the statements made in this declaration are true and accurate to the best of my personal knowledge, information and belief.

Richard A. Linn

Dated August 28, 2001

## DECLARATION

I, William L. Brandt, declare as follows:

1. I am the Public Safety Director (Chief) of the City of Neptune Beach. I was first appointed to this position in 1991. The Public Safety Department of Neptune Beach oversees police and other protection activities in Neptune Beach.
2. Neptune Beach is a community separate and distinct from any other community in the Jacksonville Urbanized Area, including Jacksonville. It has its own business district, its own government, its own churches, its own organizations, its own parks and its own public safety services. Residents of Neptune Beach naturally think of themselves as a distinct community around which their interests coalesce. The community takes considerable pride in its separate identity.
3. I have first-hand knowledge that its residents (and those of surrounding areas) recognize that Neptune Beach is its own distinct community. For example, a number of residents of Neptune Beach have developed, in conjunction with my department, Neighborhood Watch units that demonstrate the residents' concern with the safety of their community and their neighbors. My department also conducts a "house check" program to protect homes of Neptune Beach residents who are out of town, as well as other programs designed to benefit the citizens of Neptune Beach.

I hereby declare under penalty of perjury that the statements made in this declaration are true and accurate to the best of my personal knowledge, information and belief.



William L. Brandt

Dated: August 29, 2001

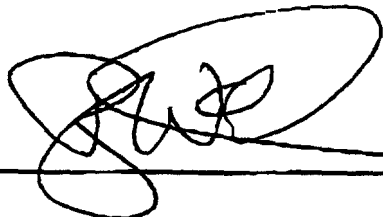


**DECLARATION**

I, Barry Chandler, declare as follows:

1. I am a resident of the City of Neptune Beach. I have lived in Neptune Beach for more than 10 years.
2. Neptune Beach is a community separate and distinct from any other community in the Jacksonville Urbanized Area, including Jacksonville. Neptune Beach has its own government, its own business district, its own churches, its own organizations, its own parks and its own public safety services. Residents of Neptune Beach naturally think of themselves as a distinct community around which their interests coalesce. The community takes considerable pride in its separate identity, and is passionate about maintaining its autonomy and Neptune Beach's unique quality of life.
3. As a long time resident of Neptune Beach, I have personal knowledge that its residents (and those of surrounding areas) recognize that Neptune Beach is its own distinct community.

I hereby declare under penalty of perjury that the statements made in this declaration are true and accurate to the best of my personal knowledge, information and belief.



Barry Chandler

1022 Seawood Dr  
Neptune Beach, FL 32266-3792

Dated: September 24, 2001

## **ATTACHMENT 4**



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<a href="#">Neptune Beach Dermatology</a>	804 3rd St	Neptune Beach, FL	(904) 246-0908	<a href="#">More Info</a>

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Business Name	Address	City	Phone	
<a href="#">Advanced Chiropractic Nutrition Centers</a>	440 3rd St	Neptune Beach, FL	(904) 249-5999	
<a href="#">Advanced Nutritional Systems</a>	440 3rd St	Neptune Beach, FL	(904) 249-3707	
<a href="#">Alternative Wellness Center</a>	1112 3rd St	Neptune Beach, FL	(904) 349-2946	
<a href="#">Batton, Steven</a>	910 3rd St	Neptune Beach, FL	(904) 246-5448	
<a href="#">Benitez, Norberto</a>	930 3rd St	Neptune Beach, FL	(904) 246-9428	
<a href="#">Bird, Mary C</a>	808 3rd St	Neptune Beach, FL	(904) 249-6264	
<a href="#">Bomhard, James S MD</a>	1522 Penman Rd	Neptune Beach, FL	(904) 241-5107	<a href="#">Physician Info</a>
<a href="#">Brant, Terry PhD Ap Fachp</a>	831 3rd St	Neptune Beach, FL	(904) 241-9680	
<a href="#">Capitain, Robert W</a>	1214 Kings Rd	Neptune Beach, FL	(904) 241-2522	
<a href="#">Curley, Charles Dr</a>	1125 N 3rd St	Neptune Beach, FL	(904) 241-0880	
<a href="#">Dawley, Mark E</a>	1125 N 3rd St	Neptune Beach, FL	(904) 241-0880	
<a href="#">Emergency Dental Care Of Jacksonville &amp; The Beaches</a>	802 3rd St	Neptune Beach, FL	(904) 246-0911	
<a href="#">Fralicker, Dale</a>	320 3rd St	Neptune Beach, FL	(904) 270-1182	
<a href="#">Fralicker, Dale MD</a>	320 3rd St	Neptune Beach, FL	(904) 270-0767	
<a href="#">Heartland Rehabilitation Services At The Beaches</a>	1884 S 3rd St	Neptune Beach, FL	(904) 249-4000	
<a href="#">Intaplecx</a>	320 3rd St	Neptune Beach, FL	(904) 270-1182	
<a href="#">Jacksonville Pediatric Associates MD</a>	930 3rd St	Neptune Beach, FL	(904) 246-9428	
<a href="#">Jones, Phil DDS</a>	802 3rd St	Neptune Beach, FL	(904) 247-0444	
<a href="#">Lamont, Niki</a>	1122 3rd St	Neptune Beach, FL	(904) 241-5566	

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Business Name	Address	City	Phone
<a href="#">Bird, Mary C</a>	808 3rd St	Neptune Beach, FL	(904) 249-6264
<a href="#">Lamont, Niki</a>	1122 3rd St	Neptune Beach, FL	(904) 241-5566
<a href="#">Nancy J Thomas PHD - Devereux &amp; Assoc</a>	910 3rd St # B	Neptune Beach, FL	(904) 721-3806
<a href="#">Pruitt, Michael Paul</a>	808-A 3rd St	Neptune Beach, FL	(904) 249-6264
<a href="#">Sall, David L</a>	246 3rd St	Neptune Beach, FL	(904) 249-3755
<a href="#">Thomas, Nancy J</a>	910 3rd St	Neptune Beach, FL	(904) 246-5448
<a href="#">Young, Stuart</a>	302 3rd St	Neptune Beach, FL	(904) 241-0666

**Beyond Neptune Beach**

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MAJED HASSAN MD  
450 5 BUSCH DR  
JACKSONVILLE FL 32218  
(904) 757-9101

THE DOCTORS CENTER  
MAJED HASSAN MD  
837 N EDGEWOOD AVE  
JACKSONVILLE FL 32254  
(904) 389-2525

### GENERAL PRACTICE

ARSENIA ALIGNAY MD  
905 CASSAT AVE  
JACKSONVILLE FL 32205  
(904) 384-2900

AHMAD BADII MD  
837 N EDGEWOOD AVE  
JACKSONVILLE FL 32254  
(904) 389-2525

WILLIAM BOSWORTH DO  
9765 SAN JOSE BLVD  
JACKSONVILLE FL 32257  
(904) 282-5474

PATRICK BUNYI MD  
11513 N MAIN ST  
JACKSONVILLE FL 32218  
(904) 751-6200

ULISES CARABALLO MD  
9119 MERRILL RD #23  
JACKSONVILLE FL 32211  
(904) 744-2602

MEL CARBONELL MD  
7450 103RD STREET  
JACKSONVILLE FL 32210  
(904) 778-3315

CARRIERE & ASSOC PA  
6484 FT CAROLINE RD  
JACKSONVILLE FL 32277  
(904) 745-3127

CHARLES COOKSEY MD  
2442 ATLANTIC BLVD  
JACKSONVILLE FL 32207  
(904) 396-2988

LEONARDO DEL ROSARIO MD  
225 W ASHLEY ST  
JACKSONVILLE FL 32202  
(904) 354-3885

PEPITO EMLANO MD  
6983-3 103RD ST  
JACKSONVILLE FL 32210  
(904) 772-6557

SAMUEL FERN DO  
900 BEACH BLVD  
JACKSONVILLE FL 32250  
(904) 249-0335

JAMES FETCHERO DO  
14444 BEACH BLVD # 307  
JACKSONVILLE FL 32257  
(904) 282-6331

SYED HUSSAIN MD  
5500 BLANDING BLVD #1  
JACKSONVILLE FL 32244  
(904) 276-1133

CLIFFORD JEREMIAH MD  
5978 POWER AVE  
JACKSONVILLE FL 32217  
(904) 737-9493

DAVID JOHNSON MD  
900 BEACH BLVD  
JACKSONVILLE BEACH FL 32250  
(904) 249-0335

JOHN KALAM MD  
8130 BAY MEADOWS CIR W #109  
JACKSONVILLE FL 32256  
(904) 733-7338

WILBERT MATZ JR DO  
6349 BEACH BLVD  
JACKSONVILLE FL 32216  
(904) 721-1919

ERIC NORENBURG MD  
320 THIRD ST #B  
NEPTUNE BEACH FL 32266  
(904) 308-7140

NAK PAEK MD  
2936 MONCRIES RD  
JACKSONVILLE FL 32209  
(904) 354-5340

NAK PAEK MD  
424 HOGAN STREET  
JACKSONVILLE FL 32202  
(904) 354-5342

DOUGLAS PENNINGTON DO  
1906 SOUTHSIDE BLVD  
JACKSONVILLE FL 32216  
(904) 282-5474

NATHAN PERRY MD  
2700 W UNIVERSITY BLVD #B1  
JACKSONVILLE FL 32217  
(904) 733-6729

MIGUEL ROSADA MD  
340 16TH AVE N  
JACKSONVILLE BEACH FL 32250  
(904) 247-1911

ANTHONY UNDERWOOD DO  
1023 ATLANTIC BLVD  
ATLANTIC BEACH FL 32233  
(904) 308-7140

WASSY WALLIZADA MD  
1395 CASSAT AVE  
JACKSONVILLE FL 32205  
(904) 388-2386

AMBULATORY CARE  
DEBRA WILKES DO  
900 BEACH BLVD  
JACKSONVILLE BEACH FL 32250  
(904) 308-6829

ARLINGTON FAMILY CARE CTR  
MARK ZOLLER MD  
6947 MERRILL RD  
JACKSONVILLE FL 32211  
(904) 353-3485

BAPTIST MED CTR BEACHES  
TODD RAPPAPORT MD  
1350 13TH AVE S  
JACKSONVILLE BEACH FL 32250  
(904) 387-4243

BAPTIST MEDICAL CENTER  
FIDEL GARCIA MD  
800 PRUDENTIAL DR  
JACKSONVILLE FL 32207  
(904) 393-2092

BAPTIST MEDICAL CENTER  
HENRY SACERIO MD  
800 PRUDENTIAL DR  
JACKSONVILLE FL 32207  
(904) 393-2092

DOCTORS CENTER  
AHMAD BADII MD  
9857 ST AUGUSTINE RD  
JACKSONVILLE FL 32257  
(904) 292-0322

DOCTORS CENTER  
MAJED HASSAN MD  
9857 ST AUGUSTINE RD  
JACKSONVILLE FL 32257  
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PREMIER FAMILY CARE  
DELORES LOVELESS MD  
4555 EMERSON EXPR #100  
JACKSONVILLE FL 32207  
(904) 858-9887

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FELICE KOSCINSKI MD  
5805 1 RAMONA BLVD  
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### SPECIALTY CARE AMBULATORY SURGERY CENTER

HS MEDICAL PARTNERS SURGERY C  
4545 EMERSON EXPRESSWAY  
JACKSONVILLE FL 32207  
(904) 396-0359

JACKSONVILLE SURGERY CENTER  
4253 SALISBURY RD  
JACKSONVILLE FL 32216  
(904) 281-0021

PARKSIDE SURGERY CENTER  
2731 PARK ST  
JACKSONVILLE FL 32205  
(904) 388-5594

PLAZA SURGERY CENTER  
3901 UNIVERSITY BLVD S # 111  
JACKSONVILLE FL 32216  
(904) 448-1948

RIVERSIDE PARK SURGICENTER  
2001 COLLEGE ST  
JACKSONVILLE FL 32204  
(904) 355-9800

SAN PABLO SURGERY CENTER  
14444 BEACH BLVD #50  
JACKSONVILLE FL 32250  
(904) 396-0359

PLAZA SURGERY CENTER  
LESLIE HOGAN  
3901 UNIVERSITY BLVD S  
JACKSONVILLE FL 32216  
(904) 448-1948

## FCCI Provider Directory

### CHIROPRACTIC

HOWARD ADAMS DC  
8011-12 MERRILL RD  
JACKSONVILLE FL 32277  
(904) 744-2753

STEPHEN ALEXANDER DC  
886 N EDGEWOOD AVE  
JACKSONVILLE FL 32254  
(904) 381-1979

JOSEPH ALTOMARE DC  
9770 OLD BAYMEADOWS RD #139  
JACKSONVILLE FL 32256  
(904) 641-1134

LINDA BANISTER DC  
4111 ATLANTIC BLVD  
JACKSONVILLE FL 32207  
(904) 398-7662

BOHANNON CHIROPRACTIC  
1901 UNIVERSITY BLVD W  
JACKSONVILLE FL 32217  
(904) 733-6665

CAMPBELL CHIROPRACTIC  
1639 SOUTHSIDE BLVD  
JACKSONVILLE FL 32216  
(904) 725-2286

CAMPBELL CLINIC OF C  
1639 SOUTHSIDE BLVD  
JACKSONVILLE FL 32216  
(904) 725-2286

ADAM CHAIFETZ DC  
2999 HARTLEY RD #103  
JACKSONVILLE FL 32257  
(904) 262-0601

JOHN DAVENPORT DC  
1825 N THIRD ST #A  
JACKSONVILLE BEACH FL 32250  
(904) 246-1512

APRIL DODD DC  
3190 POST ST  
JACKSONVILLE FL 32205  
(904) 388-1811

CHARLES DOLL DC  
10950-14 SAN JOSE BLVD  
JACKSONVILLE FL 32223  
(904) 268-6568

H DUNN JR DC  
390 9TH AVE N  
JACKSONVILLE BEACH FL 32250  
(904) 249-1551

DAVID EDWARDS DC  
4558 SAN JUAN AVE  
JACKSONVILLE FL 32210  
(904) 389-0667

HARRY EDWARDS JR DC  
4558 SAN JUAN AVE  
JACKSONVILLE FL 32210  
(904) 389-0667

MICHAEL FIORE DC  
8101 SOUTHSIDE BLVD STE 5  
JACKSONVILLE FL 32256  
(904) 646-9355

JOSEPH FIORE DC  
8011-12 MERRILL RD  
JACKSONVILLE FL 32211  
(904) 744-2353

JANN FRALICKER DC  
835 CESERY BLVD  
JACKSONVILLE FL 32211  
(904) 174-5144

DEBORAH FRALICKER DC  
3728 PHILLIPS HWY #31  
JACKSONVILLE FL 32207  
(904) 346-0707

ROBERT GROVENSTEIN DC  
1427 S 3RD ST  
JACKSONVILLE FL 32250  
(904) 247-5441

RANDALL HAAS DC  
11018 114 OLD SAINT AUGUS  
JACKSONVILLE FL 32257  
(904) 260-1993

JEFF HOWARD DC  
6909 BEACH BLVD  
JACKSONVILLE FL 32216  
(904) 725-8111

ANTHONY ISELBORN DC  
3355 HENDRICKS AVE  
JACKSONVILLE FL 32207  
(904) 731-3000

RICHARD KERSEY JR DC  
1840 DUNN AVE  
JACKSONVILLE FL 32218  
(904) 757-2527

THOMAS KISKA DC  
440 THIRD ST #A  
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Thomas A. Kiska, D.C.  
440 3rd St., #A  
Neptune Beach, FL 32266  
(904)249-2049

Stephen S. Alexander, D.C.  
717 Magnolia St.  
Neptune Beach, FL 32266-3735  
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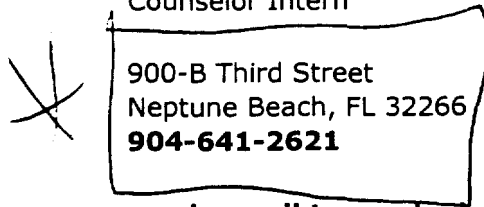
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**Mary Daniel Appetite Awareness Systems, Inc.**

M.S., Registered Mental Health Counselor Intern

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### Neptune Beach

 Dianne Johnston  
Integrative Medical Services  
226 B South Street  
Neptune Beach, FL 32266  
Telephone: (904) 241-7805  
Fax: (904) 241-7805 \*51  
Certified Nurse Midwife  
Well Woman Care  
Hormonal Therapy, Nutritional Therapy, Herbal Therapy, Acupuncture, Chiropractic, CranioSacral  
Therapy & Massage Therapy

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### Ocala

#### Gregory Butler, CNHP

719 S.E. 14<sup>th</sup> Street  
Ocala, FL 34471-4449  
Tel: (352) 629-0482

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### Orange Park

#### Teresa M Bernard, MD

441 Stowe Avenue, Suite A  
Orange Park, FL 32073  
Tel: (904) 269-6400  
Fax: (904) 269-6410  
Hormonal Therapy, Nutritional Therapy, Herbal Therapy, Homeopathy  
Other services : Flower Essences, Meditation Workshops

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### Plant City

Jeffrey E. Dunn, D.C.  
Dunn Chiropractic  
1701 South Alexander Street  
Plant City, FL 33567  
Tel: (813) 752-2440  
Fax: (813) 752-0171  
Chiropractic Physician, Hormonal Therapy, Nutritional Therapy,  
CranioSacral Therapy, Massage Therapy, Physical Therapy

### Pompano Beach

#### Marianne Beck, DC

BestHealth  
553 E. Sample Road  
Pompano Beach, FL 33064  
Tel: (954) 782-4855  
Fax: (954) 782-3959  
Menopause Management, Chiropractic Physician, Clinical Nutritionist, Nutritional Therapy,  
Herbal Therapy, Homeopathy, Natural Hormone Replacement, Massage Therapy, Physical Therapy

### Sanford

**Diana Kerner, Herb Specialists, CNHP**

Herb'n Renewal,  
1523 San Marco Blvd.,  
Jacksonville, FL 32207

---

**Barbara Jockers, RN, LMT**

Medical Massage Associates  
2208 Twin Fox Trail, St. Augustine  
(904) 824-5247 [family@aug.com](mailto:family@aug.com)  
Primary Modality: Massage Therapy

---

**Diane Johnson, DC**

Alterman & Johnson Family Chiropractors  
423 N. Third Street, Jax Beach - 247-3933  
Primary Modality: Chiropractic Physician

---

**Irene Kaye**

Alexander Technique of North Florida  
1312 N. Third Street, Jacksonville Beach  
(904) 389-8010 [www.posturesense.com](http://www.posturesense.com)  
Primary Modality: Alexander Technique

---

**Sharon Knapp, LMT**

Massage & Bodywork - Natural Health & Wellness  
(904) 955-6476 [snappwell@hotmail.com](mailto:snappwell@hotmail.com)  
Primary Modality: CranioSacral Therapy

---

**James Lamoureux**

Life Science Technologies Distributor  
904-287-8721 [www.primetimehealth.com](http://www.primetimehealth.com)  
Primary Modality: Nutritional Supplements

---

**Laurence Layne, LMT, Herbalist**

Healing Waters Clinic  
26 Clark Street, St. Augustine 826-1965  
Primary Modality: Massage Therapy

---

**Niki LaMont, Ch.T E, EDxTM Certified**

Alternative Wellness Center – Nep. Bch.  
(904) 241-5566 or (904) 349-2946  
[www.hypnosis.evisionsite.com](http://www.hypnosis.evisionsite.com)  
Primary Modality: Hypnotherapy

---

**Joyce Lockwood, AP, Dipl.Ac**

Beaches Acupuncture & Wellness Center, Inc.  
217 First Street, Neptune Beach  
(904) 270-1499 [acujoyce@aol.com](mailto:acujoyce@aol.com)  
Primary Modality: Acupuncture

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**Deolal Mahabir**

Holistic Health Consultant &amp; Integrative Bodywork Therapist

Phone: 904-354-0410; 904-642-1486

E-mail: [livezero@mindexplorer.com](mailto:livezero@mindexplorer.com)WebSite: <http://mindexplorer.com>

Primary Modality: Zen Shiatsu, Yoga Therapy, CranioSacral

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**Joe Nolan, RM**

MCH &amp; Harmonic Healing

(904) 223-8053 [www.healingfromwithin.net](http://www.healingfromwithin.net)

Primary Modality: Energy Medicine

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**Travers O'Connor, AP**

1503 San Marco Blvd, Jacksonville

(904) 613-7794 [livngh2o@bellsouth.net](mailto:livngh2o@bellsouth.net)

Primary Modality: Acupuncture

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**Sam Pace, LMT**

1523 San Marco Blvd., Jax 398-5911

Primary Modality: Massage Therapy

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**Deva Parnell, RYT**

Discovery Yoga

142B King Street, St. Augustine 824-7454

Primary Modality: Yoga Instruction

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**Barb Patterson, ARNP, MSN**

Acupuncture Holistic Health Ctr - The Healing Gift

Jax (904) 296-9545; St Aug. (904) 471-8311

Cancer - Illness-Stress-Relief

Primary Modality: Holistic Nurse Practitioner

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**Ardythe Phillips, RN, BSN, HNC**

Advanced Energy Healing

Esoteric Healing (904) 246-2217

[ardythe98ab@aol.com](mailto:ardythe98ab@aol.com)

Primary Modality: Energy Healing

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**Carol Powel-Smith**

Cobalt Moon Healing Center

217 First Street, Neptune Beach

(904) 280-1325 [carolps333@aol.com](mailto:carolps333@aol.com)

Primary Modality: Spiritual Counseling

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**Cleveland W. Randolph, Jr., MD**

1891 Beach Blvd., Jax Beach, FL





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